



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KEITH A GANDY
WOODARD EMHARDT MORIARTY & MCNETT
BANK ONE CENTER / TOWER
SUITE 3700
111 MONUMENT CIRCLE
INDIANAPOLIS IN 46204-5137

COPY MAILED

JUL 21 2005

OFFICE OF PETITIONS

In re Application of	:	
Richard L. Gregory	:	
Application No. 10/009,004	:	ON PETITION
Filed: May 3, 2000	:	
Attorney Docket No. 7037-405	:	

This is a decision on the renewed petition under 37 CFR 1.137(b), filed June 15, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely file a proper reply to the Notification of Defective Response mailed August 5, 2002, which set a shortened statutory period for reply of one month. This letter informed applicant that he must a Sequence Listing in compliance with 37 CFR 1.821 - 1.825. Applicant submitted a Sequence Listing on September 10, 2002, made timely by including a Certificate of Mailing dated September 4, 2002. However, the CRF was unreadable. Accordingly, the above-identified application became abandoned on September 6, 2002. A Notice of Abandonment was mailed on October 29, 2003. Applicant filed a petition to revive under 37 CFR 1.137(b) on November 1, 2004. However, this petition was dismissed in a decision mailed on May 4, 2005. Petitioner failed to submit a proper Sequence Listing.

On renewed petition, petitioner has submitted a proper Sequence Listing and made the proper statement of unintentional delay. The petition fee was previously paid on November 1, 2004.

The application file is being forwarded to the Office of Initial Patent Examination for completion of pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207

Cliff Congo

Cliff Congo
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy